COUNTY OF									AFFIDAVIT OF	PEKAICE
ERICH LACHN	!ANN						ATTO FF/IN	DRNEY:	LOVETT	
							DATE	FILED:	5/22/08	
							DOC	KET#;		
	- AG	AINST -			Plaintiff(s	)/Petitioners(s)			CASE NO .: 08 CI	V. 4777
CITY OF MIDDI			K, ET AL.		•	,			BRIEANT	
			,							
				Ε	Defendants(s)/	Respondent(s)	COUR	RT D/T:		
STATE OF N	<b>VEW</b>	YORK CO	UNTY OF	ORANG	Fee	- raspondera(s)	AMOU	JNT:		
THE UNDERSIGN	ED DEF	ONENT REING	2 DI il V curo	DM 050-4-	_	3500Mm			ACTION AND IS OV	
THE AGE OF EIG	HTEEN	YEARS AND R	ESIDES IN T	HE STATE OF	PENNSYLV	DEPONENT IS N NNIA.	NOT A PARTY	TO THIS	ACTION AND IS OV	ER
That on 5/29/08		at 1:1				*				
				CITY HALL 16 JAMES S	TREET MIC	DLETOWN, N	V 486.5			
deponent served th	e within	SUMMONS I	IN A CIVIL A Es	ACTION, CO	MPLAINT &	JURY TRIAL	Y 10940 DEMANDED,	JUDGE	E'S RULES & ELEC	TRONIC
		OWN, NEW Y								
									ther	ein named
ORPORATION	$\mathbf{V}$	By delivering to	o and leaving	with ALICI	A OLSEN				grand the at the second	
	بنا	so served to be	e me CITA C	CLERK			of the corpora	ition, and	and that he knew the authorized to accept	ie person service.
	$\Box$	AND AT THE	SAME TIM	E PAYING IN	ADMANIAE					
					• UDAVINOE			THE A	NUTHORIZED FEE	
ESCRIPTION		Deponent des	scribes the ind	lividual served	as follows:					
		FEMALE	WHITE SK		CK HAIR	55-63 YRS.	Flour et co			
		Other identifyi				22-62 142'	5'2"-5'4"	135	145 LBS.	
		GLASSES								

Swom to before me on: 6/3/08

JOHN GOULD NOTARY PUBLIC, STATE OF NEW YORK QUALIFIED IN ORANGE COUNTY COMMISION EXPIRES JULY 15, 20\_\_ 01G05013764 JOANN JOHNSON
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ORANGE COUNTY
COMMISION EXPIRES AUGUST 15, 20/0
01J05031856

KATHLEEN GOULD NOTARY PUBLIC, STATE OF NEW YORK QUALIFIED IN ORANGE COUNTY COMMISION EXPIRES NOVEMBER 30, 20\_ 4632958

JOSEPH SHERLOCK

						ATTO		AFFIDAVIT OF SERN	
ERICH LACHM	ANN					FF/INI	DEX#;	TOVELL	
						DATE	FILED:	5/22/08	
						DOCK	ET#:		
	400	AINST -		Plaintiff(s)/Pet	itionnes/é\			CASE NO.: 08 CIV. 4777	
CITY OF MIDDL		'N, NEW YORK, E	TAI	· manantajn et	moucia(a)			BRIEANT	
		M MEN TOKK, E	I AL.						
				Defendants(s)/Response	andent/e\	COURT	r D/T:		
STATE OF N	<b>IEW</b>	YORK COUN	TY OF C	RANGE es:	——————————————————————————————————————	AMOU	NT:		
THE UNDERSIGN	ED DEF	ONENT BEING DU	V SIMODNI	DEDOCES AND OUR					
THE AGE OF EIGH	TEEN	YEARS AND RESID	ES IN THE S	DEPOSES AND SAYS DEPO STATE OF PENNSYLVANIA.	NENT IS NOT	A PARTY 1	O THIS	ACTION AND IS OVER	
That on 5/29/08									
				AST MAIN STREET, MID					
deponent served the	e within	SUMMONS IN A FILING RULES	CIVIL ACT	ION, COMPLAINT & JUR	Y TRIAL DEN	ANDED,	JUDGE	E'S RULES & ELECTRONI	С
on MIDDLETON	/N FIRI	E DEPARTMENT							
								therein name	ed
CORPORATION	V	By delivering to and so served to be the	leaving with OFFICER	DONALD BENEDETTO		he comporat	tion, and	and that he knew the person d authorized to accept service.	1
		AND AT THE SAI	ME TIME P	AYING IN ADVANCE			THE	AUTHORIZED FEE	
ESCRIPTION		Deponent describe	s the individ	ual served as follows:					
			E SKIN	BLACK/GRAY HAIR	40-50 YRS.	EIEU A	<b>6</b> **	4	
		Other identifying fea	itures:	, · · · · · · · · · · · · · · · ·		5'5"-5'	<b>3</b>	175-200 LBS.	
		GLASSES							

Sworn to before me on: 6/3/08

JOHN GOULD NOTARY PUBLIC, STATE OF NEW YORK QUALIFIED IN ORANGE COUNTY COMMISION EXPIRES JULY 15, 20\_\_\_ 01G05013764 JOANN JOHNSON

NOTARY PUBLIC, STATE OF NEW YORK

QUALIFIED IN ORANGE COUNTY

COMMISION EXPIRES AUGUST 15, 20. (O
01J05031856

KATHLEEN GOULD NOTARY PUBLIC, STATE OF NEW YORK QUALIFIED IN ORANGE COUNTY COMMISION EXPIRES NOVEMBER 30, 20\_\_\_\_ 4632958

JOSEPH SHERLOCK

Case 7:08-cv-04777-CS Document 5 Filed 06/18/2008 Page 3 of 9 AFFIDAVIT OF SERVICE OF THE SOUTHERN DISTRICT OF NEW YORK **US DISTRICT COURT** COUNTY OF ATTORNEY: LOVETT FF/INDEX #: **ERICH LACHMANN DATE FILED: 5/22/08** DOCKET#: CASE NO.: 08 CIV. 4777 Plaintiff(s)/Petitioners(s) BRIEANT - AGAINST -CITY OF MIDDLETOWN, NEW YORK, ET AL. COURT D/T: Defendants(s)/Respondent(s) AMOUNT: STATE OF NEW YORK COUNTY OF ORANGE ss: THE UNDERSIGNED DEPONENT BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO THIS ACTION AND IS OVER THE AGE OF EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK. at 3:46 PM at 41 HARRISON STREET That on 5/30/08 **MIDDLETOWN, NEW YORK 10940** deponent served the within SUMMONS IN A CIVIL ACTION, COMPLAINT & JURY TRIAL DEMANDED, JUDGE'S RULES & ELECTRONIC **FILING RULES** therein named SAM BARONE, Individually By delivering a true copy thereof to and leaving with KATHLEEN BARONE, SPOUSE **SUITABLE AGE** a person of suitable age and discretion, the said premises being the defendants - respondents within the State of New York last known address place of business dwelling place THE AUTHORIZED FEE AND AT THE SAME TIME PAYING IN ADVANCE Deponent describes the individual served as follows: DESCRIPTION FEMALE, WHITE SKIN, BLONDE HAIR, 40-45 YRS., 5'6", 145-155 LBS. Other identifying features: Deponent completed said service under the last two sections by depositing a copy of the above named process in a postpaid properly addressed envelope in an official depositary under the exclusive card and custody of the MAILING United States Post Office in the State of New York, addressed to the defendant in an envelope bearing the legend "Personal and Confidential" and not indicating on the outside of the envelope that the communication is from an atterney Mailed on: 6/3/08 at his last known residence at his place of business at his last known address Address confirmed by: I asked the person spoken to whether defendant was in active military service of the United States or of the state of New York in any capacity whatever and received a negative reply. Defendant wore ordinary civilian clothes and no MILITARY military uniform. The source of my information and the grounds of my belief are the conversations and observations • SERVICE above narrated. Upon information and belief I ever that the defendant is not in the military service of New York State or of the United States as that term is defined in either the State or in the Federal statutes. Swom to before me on: 6/3/08

JOHN GOULD NOTARY PUBLIC, STATE OF NEW YORK QUALIFIED IN ORANGE COUNTY COMMISSION EXPIRES JULY 15, 20 01G05013764 JOANN JOHNSON, JOHNSON, WOTARY PUBLIC, STATE OF NEW YORK QUALIFIED IN ORANGE COUNTY COMMISSION EXPIRES AUGUST 15, 20/01J05031856

**DINA BENNETT** 

DATE FILED: \$122/08 DOCKET #:  CASE NO.: 08 CIV. 4 BRIEANT  CITY OF MIDDLETOWN, NEW YORK, ET AL.  Defendants(s)/Respondent(s)  STATE OF NEW YORK COUNTY OF ORANGE SS: THE UNDERSIGNED DEPONENT DEING DULY SWORN DEPONES AND DAYS DEPONENT IS NOT A PARTY TO THIS ACTION AND IS OVER THE UNDERSIGNED DEPONENT DEING DULY SWORN DEPONES AND DAYS DEPONENT IS NOT A PARTY TO THIS ACTION AND IS OVER THAT ON \$729/08  at 8:28 PM at 33 KENNEDV TERRACE MIDDLETOWN, NEW YORK 10940 deponent served the within SUMMONS IN A CIVIL ACTION, COMPLAINT & JURY TRIAL DEMANDED, JUDGE'S RULES & ELECTR FILING RULES  ON KEVIN DUGGAN, Individually  SUITABLE AGE  By definering a true copy thereof to and feating with FILING RULES  ON KEVIN DUGGAN, Individually  SUITABLE AGE  By definering a true copy thereof to and feating with FILING RULES  ON KEVIN DUGGAN, Individually  SUITABLE AGE  BY definering a true copy thereof to and feating with FILING RULES  ON KEVIN DUGGAN, Individually  SUITABLE AGE  BY definering a true copy thereof to and feating with FILING RULES  ON KEVIN DUGGAN, Individually  SUITABLE AGE  BY definering a true copy thereof to and feating with FILING RULES  AND AT THE SAME TIME PAYING IN ADVANCE  THE AUTHORIZED FEE  THE AUTHORIZED FEE  DESCRIPTION  Deponent describes the individual served as follows:  FEMALE, WHITE SKIN, RED HAIR, 18 YRS., 5'5", 110-115 LBS.  Other identifying features:  MAILING  Deponent completed said service under the last two sections by donasiting a copy of the above named process and and confidential in an orion indicating on the outside of the envelope that the communications in from an altistroey  Mailed on 7:530/08  All as his last known address  Address confident by:  I asked the person spoken to whether defendant was in active military service of the United States or of the state of the United States as that term is defined in either the State or in the Federal status.  Sworn to before me on:  \$2000UD  DIAD STATES AND THE ACTION TO THE AC	ERICH LACH	MANN					<del></del>	ATTORNEY:	AFFIDAVIT OI	
CASE NO.: 08 CIV. 4  Plaintiff(s)/Petitioners(s)  BRIEANT  CITY OF MIDDLETOWN, NEW YORK, ET AL.  Defendants(s)/Respondent(s)  STATE OF NEW YORK COUNTY OF ORANGE ss:  THE UNDERSIGNED DEPONENT BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO THIS ACTION AND IS OVER  THE LAGE OF EICHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK.  THAT ON 3/29/08  at 8:28 PM at 33 KENNEDY TERRACE  MIDDLETOWN, NEW YORK 19940  Deponent served the within  SUMMONS IN A CIVIL ACTION, COMPLAINT & JURY TRIAL DEMANDED, JUDGE'S RULES & ELECTR  FILING RULES  MIDDLETOWN, NEW YORK 19940  Deponent deserved the within sum and decident of the served the served the within sum and decident of the served served the served served the served served the served served served served served served the served served the served the served served served served the served served the served served served served served served the served served served the served served served served the served se										
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Defendants(s)/Respondent(s)  STATE OF NEW YORK COUNTY OF ORANGE ss: THE UNDERSIGNED DEPONENT BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO THIS ACTION AND IS OVER THE AGE OF EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK.  THAT ON 5/29/08  at 8:28 PM at 33 KENNEDY TERRACE MIDDLETOWN, NEW YORK 10940  deponent served the within SUMMONS IN A CIVIL ACTION, COMPLAINT & JURY TRIAL DEMANDED, JUDGE'S RULES & ELECTR FILING RULES  BY delivering a true copy thereof to and feaving with KRISTINE DUGGAN, DAUGHTER  Welling place   place of business   last known address  Whin the State of New York  AND AT THE SAME TIME PAYING IN ADVANCE THE AUTHORIZED FEE  DESCRIPTION  Deponent describes the individual served as follows:  FEMALE, WHITE SKIN, RED HAIR, 18 YRS., 5'5", 110-115 LBS, Other identifying features:  AILING  Deponent completed said service under the last two sections by depositing a copy of the above named process in a postpaid properly addressed envelope in an official deposition by more the sectionies are envelopes from the controllation and confidential and Confid		- A	GAINST -		Plaintiff(s)/Pe	titione	řs(s)		CASE NO.: 08 C	IV. 4777
STATE OF NEW YORK COUNTY OF ORANGE SS:  THE UNDERSIGNED DEPONENT BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO THIS ACTION AND IS OVER THE AGE OF EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK.  That on 5/29/08  at 8:28 PM at 33 KENNEDY TERRACE  MIDDLETOWN, NEW YORK 19940  deponient served the within FILING RULES  ON KEVIN DUGGAN, Individually  SUITABLE AGE  By delivering at true copy thereof to and feaving with a person of suitable age and discretion, the said premises being the defendants - respondents  within the State of New You And AT THE SAME TIME PAYING IN ADVANCE  AND AT THE SAME TIME PAYING IN ADVANCE  THE AUTHORIZED FEE  DESCRIPTION  Deponent completed said service under the last two sections by depositing a copy of the above named process in a postpaid properly addressed envelope in an official depositary under the exclusive card and custody of the United States post Office in the State of New York.  AILING:  Deponent completed said service under the last two sections by depositing a copy of the above named process in a postpaid properly addressed envelope in an official depositary under the exclusive card and custody of the United States post Office in the State of New York advanced to the defendant in an envelope bearing the legend Walled on 15/30/08  AILING:  Deponent completed said service under the last two sections by depositing a copy of the above named process in a postpaid properly addressed envelope in an official depositary under the exclusive card and custody of the United States post Office in the State of New York address and nor malled on 15/30/08  AILING:  Deponent completed said service under the last two sections by depositing a copy of the above named process in a postpaid properly addressed envelope in an official depositary under the exclusive card and custody of the United States post Office in the State of New York address and nor malled on 15/30/08  AILING:  AILING:  Deponent completed said service under the last two sections by depositing a copy of the abo	CITY OF MIDE	DLETO	WN, NEW YORK, ET	AL.					BRIEANT	
STATE OF NEW YORK COUNTY OF ORANGE SS:  THE UNDERSIGNED DEPONENT BEING DILLY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO THIS ACTION AND IS OVER  THE AGE OF EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK.  That on 5/29/08  at 8:28 PM at 33 KENNEDY TERRACE  MIDDLETOWN, NEW YORK 19940  deponent served the within  FILING RULES  ON KEVIN DUGGAN, Individually  SUITABLE AGE  By delivering at true copy thereof to and feaving with  a person of suitable age and discretion, the said premises being the defendants - respondents  within the State of New You  AND AT THE SAME TIME PAYING IN ADVANCE  THE AUTHORIZED FEE  DESCRIPTION  Deponent describes the individual served as follows:  FEMALE, WHITE SKIN, RED HAIR, 18 YRS., 5'5", 110-115 LBS.  Other identifying features:  Deponent completed said service under the last two services by depositing a copy of the above named process in a postpaid properly addressed envelope in an efficial depositary under the exclusive card and custody of the United States post Office in the State of New York.  AllING:  Deponent completed said service under the last two services by depositing a copy of the above named process in a postpaid properly addressed envelope in an efficial depositary under the exclusive card and custody of the United States post Office in the State of New York addressed to the defendant in an envelope bearing the legend Personal and Confidential" and not indicating on the durible of the envelope that the commendation is from an attorney Malled on: 5/30/08  at his last known residence at his place of business at the defendant was in acknown address and here with the commendance of the state of New York in any capacity whatever and received a negotive replicy. Defendant were cardinary civilian cichies and nor new York of it is any capacity whatever and received a negotive replicy. Defendant were cardinary civilian cichies and one new York of the any capacity whatever and received a negotive replicy. Defendant were cardinary civilian cichies and one new York State										
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deponent served the within SUMMONS IN A CIVIL ACTION, COMPLAINT & JURY TRIAL DEMANDED, JUDGE'S RULES & ELECTR FILING RULES  on KEVIN DUGGAN, Individually  SUITABLE AGE  By delivering a true copy thereof to and feaving with a person of suitable age and discretion, the said premises being the defendants - respondents  within the State of New You develing place of business and in the state of New You and the said premises being the defendants - respondents  within the State of New You and the state of New You addressed to the defendant in an envelope bearing the legend Personal and Confidential" and not indicating on the outside of the envelope that the communication is from an attorney Mailed on: 5/30/08  Address confirmed by:  I asked the person spoken to whether defendant was in active military service of the United States or of the state of New York addressed to the defendant were ordinary cavitian clothes and no military uniform. The source of my information and the grounds of my belief are the conversations and observations above narradu.  Upon information and belief I sever that the defendant is not in the military service of New York State or of the United States as that term is defined in either the State or in the Federal statutes.  Sworn to before me on: 5/30/08  DINA BENNETT	THE AGE OF EI	GHTEE	N YEARS AND RESIDE	Y SWORN DEPOSES AN IS IN THE STATE OF NE	ND SAYS DEP EW YORK:	ONEN	TIS NOT A PA	RTY TO THE	S ACTION AND IS O	VER
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Sydelivering a true copy thereof to and leaving with KRISTINE DUGGAN, DAUGHTER a person of suitable age and discretion, the said premises being the defendants - respondents within the State of New You dwelling place place of business last known address within the State of New You AND AT THE SAME TIME PAYING IN ADVANCE  Deponent describes the individual served as follows:  FEMALE, WHITE SKIN, RED HAIR, 18 YRS., 5'5", 110-115 LBS.  Other identifying features:  Deponent completed said service under the last two sections by depositing a copy of the above named process in a postpaid property addressed envelope in an official depositant under the exclusion card and custody of the United States Fost Office in the State of New York, addressed to the defendant are card and custody of the United States Fost Office in the State of New York, addressed to the defendant on the communication is from an attorney Mailed on: 5/30/08  I at his last known residence at his place of business at his last known address Address confirmed by:  I asked the person spoken to whether defendant was in active military service of the United States and no military unform. The source of my information and the grounds of my belief are the communications. Shown named.  Upon information and belief I aver that the defendant is not in the military service of New York State or of the United States as that term is defined in either the State or in the Federal statutes.  Sworn to before me on: 5/30/08  DINA BENNETT	on KEVIN DU	GGAN,	Individually						**	
develting place   place of business   last known address   within the State of New You	SUITABLE AGE	V	By delivering a true	copy thereof to and leavi	ng with KR	ISTIN	IE DUGGAN	DALICUTE		rein named
AND AT THE SAME TIME PAYING IN ADVANCE  THE AUTHORIZED FEE  DESCRIPTION  Deponent describes the individual served as follows:  FEMALE, WHITE SKIN, RED HAIR, 18 YRS., 5'5", 110-115 LBS.  Other identifying features:  Deponent completed said service under the last two sections by depositing a copy of the above named process in a postpaid properly addressed envelope in an official depositary under the exclusive card and custody of the "Personal and Confidential" and not indicating on the outside of the envelope that the communication is from an attorney Mailed on: 5/30/08  at his last known residence at his place of business at his last known address Address confirmed by:  I asked the person spoken to whether defendant was in active military service of the United States or of the state of New York in any capacity whatever and received a negative reply. Defendant wore ordinary civilian cohese and no nilitary uniform. The source of my information and the grounds of my belief are the conversations and observations and observations.  LITARY  RVICE  AND AT THE SAME TIME PAYING IN ADVANCE  THE AUTHORIZED FEE  THE AUTHO			dwelling place	F	promises	eing ti	na deleudavis -	respondents		
Deponent describes the individual served as follows:  FEMALE, WHITE SKIN, RED HAIR, 18 YRS., 5'5", 110-115 LBS.  Other identifying features:  Deponent completed said service under the last two sections by depositing a copy of the above named process in a postpaid properly addressed envelope in an official depositary under the exclusive card and custody of the United States Post Office in the State of New York, addressed to the defendant in an envelope bearing the legend Personal and Confidential" and not indicating on the outside of the envelope that the communication is from an altorney Mailed on: 5/30/08  at his last known residence at his place of business at his last known address confirmed by:  I asked the person spoken to whether defendant was in active military service of the United States or of the state of New York in any capacity whatever and received a negative reply. Defendant were ordinary civilian clothes and no military uniform. The source of my information and the grounds of my belief are the conversations and observations above narrated.  Upon information and belief I aver that the defendant is not in the military service of New York State or of the United States as that term is defined in either the State or in the Federal statutes.  Sworn to before me on: 5/30/08  DINA BENNETT		$\Box$				Ц	last known add	dress ,	within the State of New	w York
Deponent describes the individual served as follows:  FEMALE, WHITE SKIN, RED HAIR, 18 YRS., 5'5", 110-115 LBS.  Other identifying features:  Deponent completed said service under the last two sections by depositing a copy of the above named process in a postpaid property addressed envelope in an official depositary under the exclusive card and custody of the United States Post Office in the State of New York, addressed to the dendrath in an envelope bearing the legend "Personal and Confidential" and not indicating on the outside of the envelope that the communication is from an attorney Mailed on: 5/30/08  Address confirmed by:  I asked the person spoken to whether defendant was in active military service of the United States or of the state of New York in any capacity whatever and received a negative reply. Defendant wore ordinary civilian clothes and no nititary uniform. The source of my information and the grounds of my belief are the conversations and observations above narrated.  Upon information and belief I aver that the defendant is not in the military service of New York State or of the United States as that term is defined in either the State or in the Federal statutes.  Sworn to before me on: 5/30/08  DINA BENNETT			AND AT THE SAN	IE TIME PAYING IN A	DVANCE			THE	AUTHORIZED FF	F
Deponent completed said service under the last two sections by depositing a copy of the above named process in a postpaid property addressed envelope in an official depositary under the exclusive card and custody of the United States Post Office in the State of New York addressed to defendant in an envelope bearing the legend "Personal and Confidential" and not indicating on the outside of the envelope that the communication is from an attorney Mailed on: 5/30/08  If a this last known residence at his place of business at his last known address Address confirmed by:  I asked the person spoken to whether defendant was in active military service of the United States or of the state of New York in any capacity whatever and received a negative reply. Defendant wore ordinary civilian clothes and no military uniform. The source of my information and the grounds of my belief are the conversations and observations above narrated.  Upon information and belief I ever that the defendant is not in the military service of New York State or of the United States as that term is defined in either the State or in the Federal statutes.  Sworn to before me on: 5/30/08  DINA BENNETT	DESCRIPTION		Deponent describes	the individual served as t	follows:					_
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United States Post Office in the State of New York, addressed to the defendant in an envelope bearing the legend "Personal and Confidential" and not indicating on the outside of the envelope that the communication is from an attorney Mailed on: 5/30/08    Mailed on: 5/30/08			Other identifying feat	ures;			•			
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Mailed on: 5/30/08  At his last known residence at his place of business at his last known address.  Address confirmed by:  I asked the person spoken to whether defendant was in active military service of the United States or of the state of New York in any capacity whatever and received a negative reply. Defendant were ordinary civilian clothes and no military uniform. The source of my information and the grounds of my belief are the conversations and observations above narrated.  Upon information and belief I aver that the defendant is not in the military service of New York State or of the United States as that term is defined in either the State or in the Federal statutes.  Sworn to before me on: 5/30/08  DINA BENNETT	, 1121110	✓	United States Post Of	fine in the Cteau scales a		-1017 Q	under tite exclos	ive card and	Calefordy of the	
Address confirmed by:  I asked the person spoken to whether defendant was in active military service of the United States or of the state of New York in any capacity whatever and received a negative reply. Defendant wore ordinary civilian clothes and no military uniform. The source of my information and the grounds of my belief are the conversations and observations above narrated.  Upon information and belief I aver that the defendant is not in the military service of New York State or of the United States as that term is defined in either the State or in the Federal statutes.  Sworn to before me on: 5/30/08  DINA BENNETT				ential" and not indicating o	on the outside	of the	envelope that the	e communic	earing the legend ation is from an attorr	ney
LITARY REVICE  I asked the person spoken to whether defendant was in active military service of the United States or of the state of New York in any capacity whatever and received a negative reply. Defendant wore ordinary civilian clothes and no military uniform. The source of my information and the grounds of my belief are the conversations and observations above narrated.  Upon information and belief I aver that the defendant is not in the military service of New York State or of the United States as that term is defined in either the State or in the Federal statutes.  Sworn to before me on: 5/30/08  DINA BENNETT				residence at his	s place of busi	noce	af biá los	ودر بالمساه		
Animary uniform. The source of my information and the grounds of my belief are the conversations and observations.  Upon information and belief I aver that the defendant is not in the military service of New York State or of the United States as that term is defined in either the State or in the Federal statutes.  Sworn to before me on: 5/30/08  DINA BENNETT			Address confirmed by		- 1-10-20 01 2031	11000	BI IIIS 183	st known add	ress	
Animary uniform. The source of my information and the grounds of my belief are the conversations and observations.  Upon information and belief I aver that the defendant is not in the military service of New York State or of the United States as that term is defined in either the State or in the Federal statutes.  Sworn to before me on: 5/30/08  DINA BENNETT	LITADY		I asked the person spo	ken to whether defendan	it was in active	militar	v service of the	I Inited State		
Upon information and belief I aver that the defendant is not in the military service of New York State or of the United States as that term is defined in either the State or in the Federal statutes.  Sworn to before me on: 5/30/08  DINA BENNETT		$\checkmark$	military uniform. The s	my whatever and received ourse of my information a	d a negative re and the ground	ply. D	efendant wore of y belief are the	ordinary civili conversation	an ciothes and no	
Sworn to before me on: 5/30/08  DINA BENNETT  ON GOULD			Upon information and t	eliof I muse that the auto-						
Sworn to before me on: 5/30/08  DINA BENNETT  DINA BENNETT			the United States as th	at term is defined in eithe	ident is not in t ir the State or i	he mili n the F	itary service of I ederal statutes	New York Sta	ite or of	
DINA BENNETT  DINA BENNETT							. 1	$\cap$	$\mathcal{L}$	Λ
N GOULD JAMES JAMES			oworm to before me on:	5/30/08				/1/2e	1/5/1	L
N GOULD JOANN JOHNSON				100	) /		DINA BENN	ETT		
/JOANN JOHNSON /	N GOULD			Jun 1	AADET					
ARY PUBLIC, STATE OF NEW YORK  NOTARY PUBLIC, STATE OF NEW YORK  LIFIED IN ORANGE COUNTY  REPRESENTED IN ORANGE COUNTY  KATHLEEN GOULD  NOTARY PUBLIC, STATE OF NEW YORK  NOTARY PUBLIC, STATE OF NEW YORK	ARY PUBLIC, ST.	ATE OF	NEW YORK	JOANN JOHNSON NOTARY PUBLIC, STAT	E OF NEW V	18K	KATI	ILEEN GOU	LD	

JO NO QUALIFIED IN ORANGE COUNTY COMMISION EXPIRES JULY 15, 20 01G05013764

QUALIFIED IN ORANGE COUNTY COMMISSION EXPIRES AUGUST 15, 20/0 01J05031856

QUALIFIED IN ORANGE COUNTY COMMISION EXPIRES NOVEMBER 30, 20\_ 4632958

AND AT THE SAME TIME PAYING IN ADVANCE

THE AUTHORIZED FEE

DESCRIPTION

Deponent describes the individual served as follows:

MALE, WHITE SKIN, BLACK HAIR, 50-55 YRS., 5'10", 185-200 LBS.

Other identifying features;

MUSTACHE

MILITARY SERVICE



I asked the person spoken to whether defendant was in active military service of the United States or of the state of New York in any capacity whatever and received a negative reply. Defendant were ordinary civilian clothes and no military uniform. The source of my information and the grounds of my belief are the conversations and observations above narrated.

Upon information and belief! aver that the defendant is not in the military service of New York State or of the United States as that term is defined in either the State or in the Federal statutes.

Sworn to before me on: 6/3/08

**DINA BENNETT** 

JOHN GOULD NOTARY PUBLIC, STATE OF NEW YORK QUALIFIED IN ORANGE COUNTY COMMISSION EXPIRES JULY 15, 20\_\_ 01G05013764 UDANN JOHNSON
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ORANGE COUNTY
COMMISION EXPIRES AUGUST 15, 20
01J05031856

KATHLEEN GOULD NOTARY PUBLIC, STATE OF NEW YORK QUALIFIED IN ORANGE COUNTY COMMISSION EXPIRES NOVEMBER 30, 20\_\_ 4632958

US DISTRICT C	OURT	OF THE SOUTHERN DISTRICT OF NEW YORK		AFFIDAVIT OF SERVICE
COUNTY OF		<del>-</del>	ATTORNEY:	LOVETT
ERICH LACHMA	ANN		FF/INDEX #; DATE FILED;	E/22/00
			DOCKET#:	3/22/00
				CASE NO.: 08 CIV. 4777
	- AGA	//NST - Plaintiff(s)/Petitioners(s)		BRIEANT
CITY OF MIDDL	ETOWI	N, NEW YORK, ET AL.		
		Defendants(s)/Respondent(s)	COURT D/T:	
STATE OF N	JEW N	YORK COUNTY OF ORANGE ss:	AMOUNT:	
		ONENT BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT	A PARTY TO THE	S ACTION AND IS OVER
		YEARS AND RESIDES IN THE STATE OF NEW YORK,		O NO NOR AND ID OVER
That on 5/29/08		at 8:52 PM at 25 KEYSTONE PARK		
deponent served th	ie within	MIDDLETOWN, NEW YORK 10940 SUMMONS IN A CIVIL ACTION, COMPLAINT & JURY TRIAL DEI	MANDED JUDG	E'S RIJI ES & EJ ECTRONIC
		FILING RULES		C O MOLEO M ECEO I MOMIC
on: WAYNE CLA	ARKE, I	ndividually		therein named
SUITABLE AGE	¥	By delivering a true copy thereof to and leaving with SHERRI CLARK a person of suitable age and discretion, the said premises being the defend	KE, SPOUSE dants - respondent	<b>s</b> .
		dwelling place place of business last kno	own address	within the State of New York
		AND AT THE SAME TIME PAYING IN ADVANCE	TH	E AUTHORIZED FEE
DESCRIPTION		Deponent describes the individual served as follows;		
		FEMALE, WHITE SKIN, BROWN HAIR, 40-45 YRS., 5'6", 150-	-160 LBS.	
		Other identifying features:		
MAILING	<b>L</b> 2	Deponent completed said service under the last two sections by depositing in a postpaid property addressed envelope in an official depositary under the	e exclusive card at	nd custody of the
main o	⊻′	United States Post Office in the State of New York, addressed to the defend "Personal and Confidential" and not indicating on the outside of the envelop	lant in an envelone	hearing the legend
		Mailed on: 5/30/08	e marine commur	ication is from an attorney
			at his last known a	ddress
		Address confirmed by:		
		I asked the person spoken to whether defendant was in active military service	ce of the United St	ates or of the state of
MÎLITARY SERVICE	$\checkmark$	New York in any capacity whatever and received a negative reply. Defenda military uniform. The source of my information and the grounds of my belief above narrated.	nt wore ordinasy ci	villian clother and no
		Upon information and belief I aver that the defendant is not in the military se the United States as that term is defined in either the State or in the Federal	rvice of New York	State or of
			. ()	1/2 A
		Sworn to before me on: 5/30/08		2 Jenn -
			NA BENNETT	
		Au Marion		
IOHN GOULD		JOANN JOHNSON	KATHLEEN G	מווים
NOTARY PUBLIC, S QUALIFIED IN ORAI		F NEW YORK NOTARY PUBLIC, STATE OF NEW YORK	NOTARY PUB	LIC, STATE OF NEW YORK

JOHN GOULD NOTARY PUBLIC, STATE OF NEW YO QUALIFIED IN ORANGE COUNTY COMMISSION EXPIRES JULY 15, 20\_ 07G05013764

COMMISION EXPIRES AUGUST 15, 20/01J05031856

COMMISION EXPIRES NOVEMBER 30, 20\_ 4632958

	COURT	se 7:08-cy-04777-CS Document 5 Filed 06/1 OF THE SOUTHERN DISTRICT OF NEW YORK	8/2008 Pa	age 7 of 9 AFFIDAVIT OF SERVICE
COUNTY OF			ATTORNEY: FF/INDEX #:	LOVETT
ERICH LÄCHMA	ANN		DATE FILED:	5/22/08
			DOCKET#:	CASE NO.: 08 CIV. 4777
	- AGA	INST - Plaintiff(s)/Petitioners(s)		BRIEANT
CITY OF MIDDL	ETOWN	I, NEW YORK, ET AL.		_; <u>_</u>
			COURT D/T:	
		Defendants(s)/Respondent(s)	AMOUNT:	
		ORK COUNTY OF ORANGE ss:		
THE UNDERSIGNE THE AGE OF EIGH	ED DEPO	MENT BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT EARS AND RESIDES IN THE STATE OF NEW YORK.	A PARTY TO THE	S ACTION AND IS OVER
That on 6/13/08		at 9:00 PM at MIDDLETOWN FIRE DEPARTMENT 81 EAST MAIN STREET, MIDDLETOWN,	NY 10940	
deponent served th	ne within	SUMMONS IN A CIVIL ACTION, COMPLAINT & JURY TRIAL DE FILING RULES	MANDED, JUDO	SE'S RULES & ELECTRONIC
on DONALD BI	ENEDET	TO, Individually		therein named
INDIVIDUAL	V	By Personally delivering to and leaving with said individual, and that he knowson mentioned and described in said writ.	ew the person so :	served to be the
		AND AT THE SAME TIME PAYING IN ADVANCE	TF	LE AUTHORIZED FEE
DESCRIPTION		Deponent describes the individual served as follows:		
		MALE, WHITE SKIN, BROWN HAIR, 50-55 YRS., 6', 200-220	LBS.	
		Other identifying features:		
MILITARY SERVICE	Ø	I asked the person spoken to whether defendant was in active military serv New York in any capacity whatever and received a negative reply. Defend military uniform. The source of my information and the grounds of my beli- above narrated.  Upon information and belief I aver that the defendant is not in the military si the United States as that term is defined in either the State or in the Feder	ant wore ordinary of are the conversi service of New Yor	civilian clothes and no ations and observations
		Sworn to before me-on: 6/16/08		eP

JOHN GOULD NOTARY PUBLIC, STATE OF NEW YORK QUALIFIED IN ORANGE COUNTY COMMISSION EXPIRES JULY 15, 20\_\_\_ 01G05013764 JOANN JOHNSON
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ORANGE COUNTY
COMMISION EXPIRES AUGUST 15, 20/C
01J05031856

KATHLEEN GOULD NOTARY PUBLIC, STATE OF NEW YORK QUALIFIED IN ORANGE COUNTY COMMISION EXPIRES NOVEMBER 30, 20\_\_\_ 4632958

COUNTY OF			ATTO		e 8 of 9 AFFIDAVIT OF SERVICE LOVETT
ERICH LACI	MANN	<del></del>		DEX#:	TOAEII
			DATE		5/22/08
	-A	GAINST - Plaintiff(s)/Petitioners(s)			CASE NO.: 08 CIV. 4777
CITY OF MID	DLETO	WN, NEW YORK, ET AL.			BRIEANT
OTATE OF	<del></del>	Defendants(s)/Respondent(s)	COUR		
STATE OF	- NEW	YORK COUNTY OF ORANGE ss:	AMOU		
THE UNDERSIG	SNED DE GHTEEN	PONENT BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NO YEARS AND RESIDES IN THE STATE OF NEW YORK.	T A PARTY T	TO THIS	ACTION AND IS OVER
That on 5/30/0	8	at 4:03 PM at 16 COLUMBIA AVEAUGE			
		MIDDLETOWN NEW YORK AREA			
deponent served	f the withi	SUMMONS IN A CIVIL ACTION, COMPLAINT & JURY TRIAL DEFILING RULES	EMANDED,	JUDGI	E'S RULES & ELECTRONIC
On DAVID GL	JATTER	Y, Individually			therein named
INDIVIDUAL		By Personally delivering to and looking with a second			
	✓	By Personally delivering to and leaving with said individual, and that he ke person mentioned and described in said writ.	new the perso	n so se	ved to be the
	П	AND AT THE SAME TIME PAYING IN ADVANCE		T1.10	A Library Company
DECORPORA	_			1 H.E	AUTHORIZED FEE
DESCRIPTION		Deponent describes the individual served as follows:			
		MALE, WHITE SKIN, BROWN HAIR, 40-45 YRS., 5'8"-5'10",	180-195 LE	3S.	
		Offier identifying features:			
		l asked the person spoken to whether defendant			
MILITARY SERVICE	¥	I asked the person spoken to whether defendant was in active military serv New York in any capacity whatever and received a negative reply. Defend military uniform. The source of my information and the grounds of my belief	rice of the Uni ant wore ordin of are the con	ited Stat nary civil versation	es or of the state of ian clothes and no ns and observations
		Upon information and helief I aver that the defendent			
		Upon information and belief I aver that the defendant is not in the military state United States as that term is defined in either the State or in the Federal	ervice of New al statutes	York St	ate or of
		Swom to before me on: 6/3/08			
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			<u></u>	<u>~e</u> ,	1 Seve
		DIN	NA BENNETT		
		the are			

JOHN GOULD NOTARY PUBLIC, STATE OF NEW YORK QUALIFIED IN ORANGE COUNTY COMMISSION EXPIRES JULY 15, 20\_ 01G05013764 KATHLEEN GOULD NOTARY PUBLIC, STATE OF NEW YORK QUALIFIED IN ORANGE COUNTY COMMISION EXPIRES NOVEMBER 30, 20\_ 4632958

JOHN GOULD NOTARY PUBLIC, STATE OF NEW YORK QUALIFIED IN ORANGE COUNTY COMMISION EXPIRES JULY 15, 20\_ 01G05013764

ADANN JOHNSON
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ORANGE COUNTY
COMMISION EXPIRES AUGUST 15, 20
01J05031856

KATHLEEN GOULD NOTARY PUBLIC, STATE OF NEW YORK QUALIFIED IN ORANGE COUNTY COMMISSION EXPIRES NOVEMBER 30, 26\_ 4632958